

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Zemel et al.

Art Unit: 1616

Application No: 10/066,057

Examiner: Abigail L. Fisher

Confirmation No: 8306

Filed: January 31, 2002

Atty. Docket No: 31894-192403

For: MATERIALS AND METHODS FOR THE
TREATMENT OR PREVENTION OF
OBESITY

Customer No:

26694

PATENT TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution during the prosecution of this application, and that the documents be made of record therein and appear on any patent to issue therefrom. Copies of documents C1 – C3 are enclosed.

This Information Disclosure Statement is filed after the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114, but before an action that closes prosecution (37 CFR 1.97(c)).

Documents A1 and C1-C2 were cited in document C3, an Office Action mailed January 14, 2009, in U.S. Appl. No. 10/017,568.

In accordance with 37 CFR 1.97(e)(1), Applicants state that no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 31894-192403.

Dated: April 13, 2009

Respectfully submitted,

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